

REMARKS

Claims 1-3 and 5-16 remain pending in the application.

Allowed Claims 6-15

The Applicants thank the Examiner for the indication that claims 6-15 are **allowed**.

Claims 1-3 and 5 over Kojima

Claims 1-3 and 5 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 5,886,999 to Kojima ("Kojima"). The Applicants respectfully traverse the rejection.

Claims 1-3 and 5 are amended herein to recite that less than all, but more than one, of a plurality of time slot based data frames, as transmitted, include a sync word; wherein at least two adjacent ones of the plurality of time slot based data frames, as transmitted, do not include a sync word.

The Examiner cites Kojima as new grounds for rejection, in particular focusing on the disclosures of Fig. 4 and the description at col. 6, line 39 to col. 7, line 27. Kojima teaches **receiver** apparatus.

Claims 1-3 and 5 recite data frames as transmitted, not in a condition as received.

Moreover, the Examiner makes particular note of how Kojima handles reception of data that was transmitted with a sync word in all time slots but because of channel deterioration one or more sync words are just not detected.

It is respectfully submitted that there is great distinction between a sync word that **is** transmitted but not detected by a receiver apparatus (as disclosed in Kojima and cited by the Examiner), and adjacent time slots in a data frame that purposely do not include a sync word as transmitted, as recited by claims 1-3 and 5.

Claims 1-3 and 5 recite at least TWO ADJACENT time slot based data frames, as transmitted, not including a sync word. This feature clearly distinguishes over Kojima, which expressly teaches the use of sync words in all

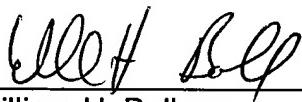
time slots. (See, e.g., Kojima, col. 6, lines 53-56)

For at least these many reasons, claims 1-3 and 5 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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